

1 MELINDA HAAG (CABN 132612)
United States Attorney
2 MIRANDA KANE (CABN 150630)
3 Chief, Criminal Division
4 GARY G. FRY (CABN 85582)
Assistant United States Attorney
5 CAROLYNE ARANGO SANIN (DCBN 499564)
6 Special Assistant United States Attorney
7 150 South Almaden Boulevard, Suite 900
8 San Jose, California 95113
Telephone: (408) 535-5596
Facsimile: (408) 535-5066
carolyne.sanin@usdoj.gov
9

10 Attorneys for the United States

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14
15 UNITED STATES OF AMERICA,) No. 10-CR-729 EJD
16 Plaintiff,) STIPULATION AND [PROPOSED]
17 v.) ORDER CONTINUING HEARING TO
18 STEVEN LEE VARGEM,) APRIL 16, 2012
19 Defendant.)
20 _____)

21 The Parties, acting through respective counsel, hereby stipulate, subject to the Court's
22 approval, that the hearing currently set for March 26, 2012 at 1:30 pm be vacated, and that the
23 hearing be re-set for April 16, 2012 at 1:30 pm. The parties are requesting the continuance of the
24 hearing due to the need for additional time for effective preparation and the need to jointly
25 negotiate a resolution in this matter.

26 The parties stipulate that the time between March 26, 2012 and April 16, 2012, is excluded
27 under the Speedy Trial Act, 18 U.S.C. §3161, and agree that the failure to grant the requested
28 continuance would unreasonably deny defense counsel reasonable time necessary for effective

1 preparation, taking into account the exercise of due diligence. Finally, the parties agree that the
2 ends of justice served by granting the requested continuance outweigh the best interest of the
3 public, and the defendant in a speedy trial and in the prompt disposition of criminal cases. 18
4 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

5

6

7

8

9

DATED: March 21, 2012

MELINDA HAAG
United States Attorney

11

12

13

14

15

16

17

18

19

20

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
ORDERED that the hearing currently set for March 26, 2012 at 1:30 p.m., shall be continued to
April 16, 2012, at 1:30 p.m.

THE COURT FINDS that failing to exclude the time between March 26, 2012 and April
16, 2012, would unreasonably deny the government continuity of counsel and deny defense
counsel reasonable time necessary for effective preparation, taking into account the exercise of
due diligence. See 18 U.S.C. § 3161(h)(7)(B)(iv).

27

28

THE COURT FURTHER FINDS that the ends of justice served by excluding the time
between March 26, 2012 and April 16, 2012, from computation under the Speedy Trial Act

1 outweigh the interests of the public and the defendant in a speedy trial.

2 THEREFORE, IT IS HEREBY ORDERED that the time between March 26, 2012 and
3 April 16, 2012, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
4 3161(h)(7)(A) and (B)(iv).

5

6

7 IT IS SO ORDERED.

8 DATED: March 21, 2012

9 
10 EDWARD J. DAVILA
11 UNITED STATES DISTRICT JUDGE

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28